

DECLASSIFIED
118 2/26/15

Action Item Log (DRAFT) For Team's 05/16/12 Site meeting ** Enforcement
Confidential and Attorney-Client Privileged Information**
San Jacinto River Waste Pits (052Q) Superfund Site Project

| No. | Action Item | Priority | Responsible Person | Date Due | Revised Due Date | Status | Comments |
|------|--|----------|----------------------------------|-------------------|------------------|----------|--|
| XXXX | NEW SIGNIFICANT ACTIVE ITEMS FOR TODAY'S 05/21/12 MEETING | XXXX | XXXX | XXXX | XXXX | XXXX | XXXXXXXXXXXXXXXXXXXXXXXXXXXX |
| 1 | RIFS - Status of Respondents' soil samples from the Southern impoundment area | | Gary | 7/7/??? | | | |
| 2 | RIFS - Based upon what criteria or RIFS findings should current landowners in Southern impoundment area be considered PRPs for this part of the Site? | | | | | | |
| 3 | RIFS - Status of specific current landowners in Southern impoundment area if RIFS recommends their properties will not require remediation costs? | | | | | | |
| 4 | TCRA - Conference call to PRPs to discuss implications on CAP survey | | Val | 03/28/12 | | | |
| 5 | RUSF - Fate & Transport model study & response | | Gary | 3/21/2012 | | | |
| 6 | RIFS - Complete TAG for USACOE Tech Assistance | | Gary | 3/11/2012 | | | |
| 7 | RIFS - On 03/16/12 Respondents posted the Draft Baseline Ecological Risk Assessment to the project document website, in the "SJRW-Working Documents" directory | | Gary | 3/20/2012 | | | Via email, Gary requests comments from Voskov (TCEQ), Allen (HCTX), Houser & Henry (POHA), White (NOAA), & Turner, Tzhone, Barth, & Becher NLT 03/20/12. |
| 8 | RIFS - Un-mixing analysis meeting for the SJRW site Wednesday 3/21/12 (9 am - noon at TCEQ in Austin) | | Gary | 3/21/2012 | | | |
| XXXX | ONGOING ACTIVE ITEMS FROM PREVIOUS MEETINGS | XXXX | XXXX | XXXX | XXXX | XXXX | XXXXXXXXXXXXXXXXXXXXXXXXXXXX |
| 1 | Community Awareness Meeting | | Donn | 02/22/12 | | On-going | Last CAC meeting 02/22/12. Next CAC meeting 04/05/12 at regular time & place. |
| 2 | Community Engagement Initiative | | Donn | Spring 12 | | On-going | Donn will see if GBF is OK with EPA participating in their next meeting. |
| 3 | RIFS - Status of RPM response to SJRF concerning plings and other planned construction between west side of cap and (SJRF) property. | | Gary | 03/16/12 | | | Gary has forwarded SJRF Letter to CIC (City of Houston, Port Authority and TCEQ) and other interested parties for review and comment. Gary will review SJRF letter & consolidate all received comments. Gary will prepare EPA approving and/or approving with modifications SJRF's plan. |
| 4 | RIFS - Watershed risk levels of POHA | | Phil | 03/08/12 | 04/05/12 | | To address scenario per POHA 07/29/11 letter |
| 5 | RIFS - Policy letter revising SJRW special permits area conditions & revise boundaries after completion of risk levels | | Stephen & Phil | 04/08/12 | 09/15/12 | | Letter to TCEQ, USSACE, and POHA |
| 6 | RIFS - Color coding project | | Phil | 08/15/12 | | On-going | Casey has removed this Site from the color coding national contract project/task for which she is the project manager. Casey has advised Phil that she will arrange to forward to him all work that contractor has already been completed for this Site. As of 03/20/12 Phil has not yet received the contractor's work in progress materials. |
| 7 | RIFS - Prepare/email 104(e) letters to current/past owners of S. impoundment properties for information concerning VOCs/DNAPLs found in the S. impoundment area. | | Bob | 12/15/11 | 03/01/12 | On hold | Prior to preparing a letter(s), Bob will await Team's decision if Respondents will be responsible to remediate VOCs/DNAPLs found in the S. impoundment area. |
| 8 | RIFS - Complete title tree (obtain deed copies) for Southern impoundment area from 1960 to present. | | Bob | | 03/01/12 | On hold | 1) Deed copies for current owners of record in the S. impoundment area have been collected. 2) Prior to spending additional time collecting historical deeds to complete title tree back to 1960, Werner is awaiting Team's decision if Respondents will be responsible to remediate VOCs/DNAPLs found in the S. impoundment area. |
| 9 | TCRA - EPA response to Respondents' latest submission concerning stipulated penalties. | | Jessica & Ann | Mid-March | 04/30/12 | On-going | |
| 10 | TCRA - Status of Administrative Record File. | | Jessica & Val | 11/30/11 | 01/30/12 | | 1-TCRA draft submitted, awaiting POHA response 2- Awaiting RA report. |
| 11 | Legislative update info to Cindy | | Jessica, Val, Gary & Donn | 1st of each month | | On-going | |
| 12 | Status of SJRF's site access to Respondents. | | Respondents | | | On-going | Respondents working with & SJRF to obtain access agreement. |
| 13 | TCRA - Final report | | Val | 03/01/12 | | | Removal report revisions back to EPA by 3/9/12. Val will review for respondents to comment. Decision planned by end of end of week. May modify as necessary. |
| 14 | RIFS - Status of records into SDMS. | | Bob, Jessica, Val, Gary, Stephen | | | On-going | Updating |
| XXXX | COMPLETED ITEMS | XXXX | XXXX | XXXX | XXXX | XXXX | XXXXXXXXXXXXXXXXXXXXXXXXXXXX |
| * | RUSF - Work plan requiring respondents expand sampling in southern impoundment to include testing for VOCs | | Gary | 02/17/12 | 02/29/12 | Done | Soil & GW SAP for S. impoundment - comment letters require VOC SVOC samples - letters sent 3/06/12. Soil & GW letter sent 3/7/12. |
| * | TCRA - Val to received copy of Respondents Survey of the cap | | Val | 02/29/12 | | Done | |
| * | RIFS - Prepare letters to residents concerning dioxin sample results. | | Gary | 12/09/11 | 01/27/12 | Done | Letters will advise dioxin yard samples below level of concern (Screening level for residential soil = 50 PMT - Samples taken ranged from 2 to 12 PPT) |
| * | TCRA - Quarterly Cap inspection | | Val | 02/11/12 | | Done | 02/11/12 |
| * | RIFS - Discussion - should disposition of sand from past dredging operations be addressed as part of this action | | Gary | | | Done | Decision made - this is not part of the Site. |



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| * | RI/FS - Status of plan from of San Jacinto River Fleet (SJRF) concerning pilings and other planned construction between west side of cap and (SJRF) property. | | Brian Darnell, VP - SJRF | | | Done | 2/3/12 - SJRF letter received at EPA. |
| * | Community Involvement Plan | | Donn | | 12/31/11 | Done | |
| * | Carlos/Don agreed that S impoundment area should be treated as a separate OU of the SJRWP site. | | Carlos/Don | 12/15/11 | | Done | Decision based upon sample finding of buried hydrocarbons / VOCs/ DNAPLs on parts of the S impoundments. Final status of OU2 designation? |
| * | Draft response to questions from latest community meeting | | Stephen (lead) | 11/16/11 | | Done | EPA related questions will be passed on to appropriate agencies. |
| * | Letter response to River Fleet concerning Fleet's proposed plan in special permit area. | | Gary | 11/15/11 | 01/13/12 | Done | River Fleet construction pending advice from EPA. Gary awaiting advice from POHA. |
| * | Cap completion | | Val | 09/09/11 | 09/09/11 | Done | Cap completed - Awaiting final report. ???? |
| * | Penalties Chart to include all deliverables the PRPs have missed. | | Val, Jessica, & Barbara | 01/26/11 | | Done | Sent with TCRA - Notice of violation letter. |
| * | TCRA - Notice of violation Letter. | | Jessica & Ann | 08/15/11 | 11/30/11 | Done | PRP response in 4 boxes now in Don's office |
| * | Community Involvement. | | Donn | | | Done | CAC meeting 11/16/11 at regular time & place. |
| * | MOU with Port of Houston Authority for SJRWP site & Patrick Bayou Site. | | Jessica/Ann | 09/09/11 | | Done | |
| * | RI/FS - Evaluate 104(e) response from MegaSand Enterprises, Inc. to determine if other location(s) with dredged materials from site area exist. | | Gary/Stephen | 07/12/11 | | Done | |
| * | Address complaints by particular residents that TCRA activities are causing water to overflow into their yards. | | | | | Done | |
| * | Designation letters to MIMC and IP to be agents for EPA on Big Star property | | Jessica/Barbara & Val | 8018/11 | | Done | |
| * | Status of site access from Big Star Boat & Barge to PRPs | | Werner/Jessica | | | Done | Werner sent emails to Jay Roberts 7/8/11 & 7/11/11. No reply yet received. Jessica plans to talk to Mark about future efforts for EPA to get site access. |
| * | Fingerprints of Southern Impoundment Samples | | Stephen, Gary | | | Finger printing done by TCEQ | No action Discussion - Before spending time to looking for possible sources of dioxins found in the southern impoundment area, should decision be made if removal will be required or should if dioxins should be left in place with deed restrictions on the effected properties? |
| * | Fingerprints of Southern Impoundment Samples | | Stephen, Gary | | | Done 6/23/11 | Discussion - 104(e) letters needed for Patrick Bayou PRPs? Probable generators/transporters of finger printed waste. Bob will talk to Ann/Patrice about generators/transporters. |
| * | Financial Assurance - Availability of funds from MIMC's "Payment Bond" #1055284 (TCRA) | Low | Bob & Barbara | 01/31/11 | 03/30/11 | Pending need & available time | Industrial Economics recommends EPA consider requiring MIMC to submit a revised payment bond with language matching that of the sample CERCLA payment bond |
| * | TCRA - Public comment period. | | Jessica, Val, & Donn | | | N/A | Not required. |
| * | RI/FS - Supplemental 104(e) letter to MegaSand Enterprises, Inc. | | Bob | 05/11/11 | 07/05/11 | Done mailed 6/7/11 | Questions concerning (1) who MEI sold dredged sand to, (2) detailed locations from which MEI dredged N & W of the MIMC property, (3) MEI's placement of clay, i.e., overburden, from its dredging operations. |
| * | RI/FS - RPM to evaluate recently received invalidated southern pit soil samples. | | Gary/Stephen | 5/27/2011 | | Done 6/01/11 | |
| * | Status of site access from Big Star Boat & Barge to PRPs | | Gary | | | Done | Gary made phone contact with Jay Roberts & Jay told Gary that future EPA contact with him should be via mail or email. |
| * | Community Engagement Initiative | | Donn | | | Done | Team decision, this activity not required. |
| * | Status of site access from Big Star Boat & Barge to PRPs | | Gary | | | Done | Gary made phone contact with Jay Roberts; Jay told Gary that all future EPA contact to him should be via mail or email. |
| * | Schedule site update briefing for Sam | | Team | | 7/7/2011 | Done | Meeting scheduled for 7/7/11 |
| * | RI/FS - Complete evaluation of PRP's work plan to sample | | Jessica & Gary/Stephen | 06/24/11 | | Done | |
| * | RI/FS - Status of PRPs requirement to sample the residential yards | | Barbara & Gary/Stephen | 05/29/11 | | Done | 5/29/11 - Demand letter mailed to PRPs |
| * | RI/FS - Evaluate PRP's response to EPA's demand to sample. | | Barbara & Gary/Stephen | 05/31/11 | | Done | 5/31/11 - Received confirmation - PRPs have agreed to sample. Plan to have conference call with PRPs later this week. |
| * | RI/FS - Date to receive PRP's work plan to sample | | Barbara & Gary/Stephen | 06/20/11 | | Done | |
| * | TCRA - Current status - displacement of sludge from west pit caused by weight of construction equipment. | | Val | | | Done | 5/20/11 - PRPs stabilized soil by mixing Portland cement into low lying areas in western cell for solidification and stabilization of waste prior to placement of the geotextile / geomembrane fabric and armor cap. |
| * | RI/FS - Obtain and evaluate validated southern pit soil samples. | | Gary/Stephen | 6/17/2011 | | Done 6/01/11 | |
| * | RI/FS - Site team will, during next week's pre-meeting, consider implication of MIMC's continued refusal to comply with order for southern pit soil sampling. | | Barbara, Bob, Gary/Stephen | Team decision NLT 5/11/2011 | | Done | 5/23/11 - Per Lydia, no action required by EPA against MIMC as long as IP (anyone party in the PRP group) complies. |
| * | Advised Wren by 5/4/11 of site team's decision to replace management's weekly meeting with a monthly meeting. Site team plans to continue its existing weekly site meetings on Mondays. | | Site Team | | | Done | 5/11/11 - Team's decision overruled by management. Management's weekly site meeting will continue until further notice. |
| * | RI/FS - Locations for sample testing at the southern impoundment (land area south side of I-10). | | Stephen & Barbara | 04/27/11 | | Done | Per Carlos, this matter has been resolved and the issue is closed. |
| * | Road Improvement over TXDOT Right- of-way. | High | Val | 04/01/11 | 04/13/11 | Done | |
| * | Review March 2011 Site update from Public Affairs/ Cindy Fanning | | | | | Done 4/06/11 | OK as written |
| * | Pictures of the southern impoundment | | Bob | 03/30/11 | | Done | Following photos obtained 1/1960, 3/1961, 10/8/1964, 11/1966, 1/1970, 1/1973 (1965 aerials possibly available from photo collections at Houston Library). Per Wren (3/30/11) at this time there is no need to continue search for 1965 photos. |
| * | Status of access to Southern impoundment (RI/FS matter). | | Barbara | | | Done | PRP's have obtained needed access. |

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| * | Supplemental 104(e) letter to International Paper Company | | Werner | N/A | Per Wren, no further action on this matter | Done | Questions concerning (a) closure of sludge pits at the now closed Champion paper mill (CPM) in Pasadena and (b) releases of paper mill waste from the CPM facility into the San Jacinto River. |
| * | Consideration of the CPM as a separate Site or as an operation unit of the San Jacinto River Waste Pits site. | | Werner | N/A | Per Wren, no further action on this matter | Done | |
| * | Status of soil sampling on residential properties inside and outside the Site's blue boundary (RI/FS matter). | | Stephen & Barbara | | | Done | Matter resolved. Soil samples will be taken from a limited number of residences near, but outside the blue line. |
| * | TCRA Work Takeover Letter. | High | Barbara/Val | 01/26/11 | | Done | Not scheduled until Financial issues resolved. |
| * | Work Plan / Work Phases | High | Val | 02/20/11 | | Done | |
| * | Mobilization. | High | Val | 03/31/11 | | Done | |
| * | Bond Letter | High | Bob | 04/16/11 | 01/18/11 | Done | Bond rec'd 1/18/11. |
| * | Draft response letter to respondents Force Majeure Letter | High | Barbara/Val | 01/21/11 | | Done | Signed EPA response letter to respondents Force Majeure Letter mailed 2/16/11 |
| * | Potential lay-down areas | High | Val | 01/21/11 | 02/04/11 | Done | "LaBarge" property selected as the lay-down area. |
| * | Funds needed for EPA TCRA takeover. | High | Lydia | | | Done 1/19/11 | HO/Leverage: none rec'd. ASARCO Reclaim: will swap Removal funds until reclassification completed. Financial Assur (bond) will begin process to access. |
| * | Begin removal work on MIMC property. | High | Val | 04/07/11 | Done | | |
| * | Site Walk-through | High | Val | 01/21/11 | | Done 1/21/11 | To identify any AOC violations. |
| * | Legal Descriptions for properties adjacent to the MIMC property that are part of the original 190.8 acre Spata tract of land and descriptions of easements on the Big Star/TXDOT properties. | High | Bob | 01/21/11 | | Done 1/19/11 | Obtained copies of all applicable recorded deeds and copies of all applicable recorded easements and provided all to GIS. |
| * | Financial Assurance - Availability of funds from MIMC's "Payment Bond" #1055284 (TCRA) | High | Barbara | 01/19/11 | | Done 1/19/11 | Call Craig Kaufman on specifics of accessing funds. Accessing funds requires: 1) NOV; 2) Takeover letter |
| * | Acquire TXDOT Deed and Easement Information for TXDOT and Big Star properties. | High | Bob | 01/20/11 | | Done 1/19/11 | Obtained copies of all applicable recorded deeds and copies of all applicable recorded easements and provided all to GIS. |
| * | GIS Site Illustration (TXDOT, Big Star, and MIMC boundaries overlayed on a Google Earth display of the I-10 Bridge area). | High | Bob | 01/24/11 | 02/02/11 | Done 1/26/11 | Copies of applicable deeds and easements given to GIS on 1/20/11. |

Team meeting participants:

Team members

Barbara Nann
Jessica Hernandez
Valmichael Leos
Gary Miller
Stephen Tzhone
Donn Walters
Robert Werner
Phil Turner

Frequent meeting guests

Wren Stenger
Richard Wooster
Don Williams
Charles Faultry
Carlos Sanchez
Lydia Johnson
Larry Andrews
Carlos Sanchez
Lydia Johnson
Larry Andrews

- Present -

03/21/12

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

No meeting

- Present -

03/28/12

Applicable Acronyms

DNAPL

Dense Non-Aqueous Phase Liquid

(1) A liquid which consists of a solution of organic compounds (e.g., chlorinated hydrocarbons) and which is denser than water. DNAPLs sink through the water column until they reach the bottom of the aquifer where they

form a separate layer. Unlike LNAPLs, DNAPLs flow down the slope of the aquifer bottom...

(2) Non-aqueous phase liquids such as chlorinated hydrocarbon solvents or petroleum fractions with a specific gravity greater than 1.0 that sink through the water column until they reach a confining layer. Because they are

at the bottom of aquifers (2) instead of floating on the water table, typical monitoring...

VOCs

Volatile organic compounds

(VOCs) are organic chemicals that have a high vapor pressure at ordinary, room-temperature conditions. Their high vapor pressure results from a low boiling point, which causes large numbers of molecules to evaporate or sublime from the liquid or solid form of the compound and enter the surrounding air. An example is formaldehyde, with a boiling point of -19 °C (-2 °F), slowly exiting paint and getting into the air.

Many VOCs are dangerous to human health or cause harm to the environment. VOCs are numerous, varied, and ubiquitous.

TAG
GBF
USACOE
BERA
SFRF
CAC
PCS/HCTX
POHA
NOAA

Technical Assistance Grant
Galvestown Bay Foundation
United States Corp of Engineers
Baseline Ecological Risk Assessment
San Jacinto River Fleet , LLC
Community Awareness Committee
Polution Control, Harris County, TX
Port of Houston Authority
National Oceanic and Atmosphere Administration

They include both man-made and naturally occurring chemical compounds. VOCs play an important role in communication between plants. [1] Anthropogenic VOCs are regulated by law, especially indoors, where concentrations are the highest. VOCs are typically not acutely toxic, but instead have compounding long-term health effects. Because the concentrations

are usually low and the symptoms slow to develop, research into VOCs and their effects is difficult.